

# Exhibit S

# SEXUAL ORIENTATION AND HOUSING DISCRIMINATION IN MICHIGAN

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*A Report of Michigan's Fair Housing Centers*

*Fair Housing Center of Greater Grand Rapids  
Fair Housing Center of Metropolitan Detroit  
Fair Housing Center of Southeastern Michigan  
Fair Housing Center of Southwestern Michigan*

*Editors:*

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*February 2006*

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## PROJECT DESCRIPTION

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With funding from the Arcus Foundation based in Kalamazoo, four Michigan fair housing groups set out to investigate housing discrimination based on sexual orientation. Tests were conducted by the Fair Housing Center of Southwest Michigan, the Fair Housing Center of Metropolitan Detroit, the Fair Housing Center of Greater Grand Rapids, and the Fair Housing Center of Southeastern Michigan.

To complete this project, the Michigan Fair Housing Centers performed a total of 120 paired tests. The tests compared the treatment of test teams posing as same sex couples to testers presenting themselves as heterosexual couples. Same sex testers were instructed to introduce themselves as “life partners.”

In each paired test, the same sex couple was provided better credentials—higher income, larger down payment, better credit—in comparison to their counterparts. Each side of the test was balanced for race and national origin.

Testers were sent to inquire about rental housing, homes for sale, and home financing options. Tested properties were located in rural areas, small cities, large cities, and college towns. Some properties were located in cities with fair housing ordinances that prohibit housing discrimination based on sexual orientation; other properties were located in areas without this protection. Testing was done of multi-family apartment complexes, real estate firms and mortgage lenders.

Testing by the Michigan Fair Housing Centers uncovered widespread discrimination against same-sex couples. In some parts of the state, discrimination was more pervasive than in other parts of the state. This report describes the testing evidence, the status of legal protections against housing discrimination, and suggests strategies for further action.

## **FAIR HOUSING LAW**

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In the United States, federal law bans housing discrimination based on race, color, religion, national origin, sex, disability and familial status. State law in Michigan adds age and marital status protections.

However, not all citizens are protected under these same Federal and State laws. Lesbians and gay men have been left out, at least on the national level. Some states do prohibit housing discrimination based on sexual orientation and gender identity, however many—including Michigan—do not.

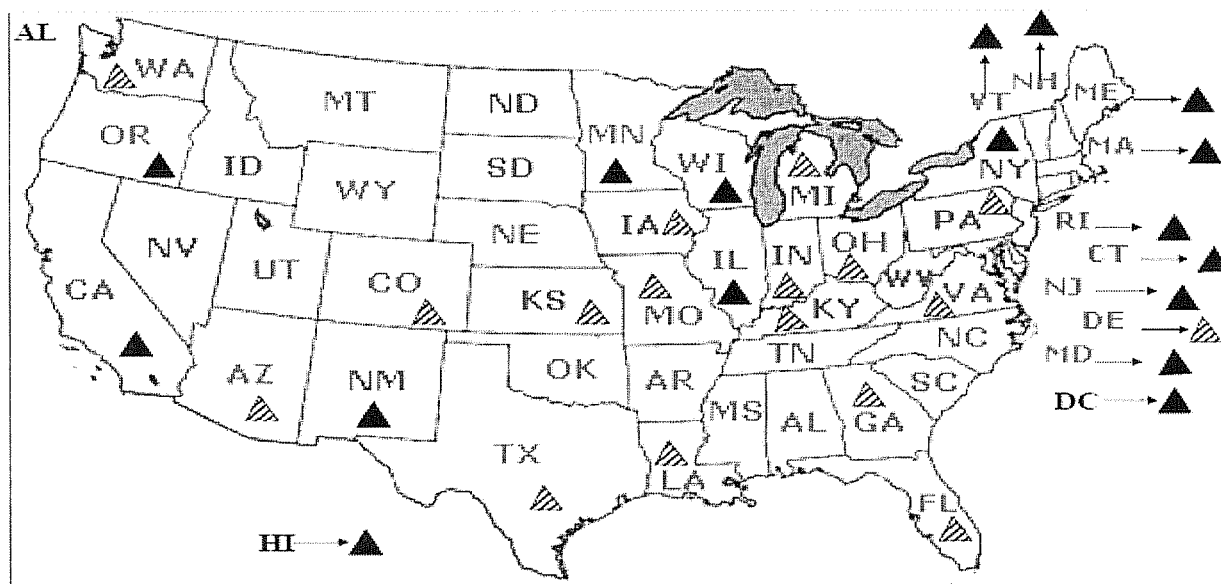
Michigan is one of thirty-three states that fail to protect gay and lesbian residents from housing discrimination. However, six cities in Michigan have taken steps to include sexual orientation protections in their local ordinances.

Even in cities with local ordinances in place, enforcement of housing laws to protect gay men and lesbians remains an issue because landlords, property owners, or realtors continue to discriminate on the basis of sexual orientation.

## HOUSING DISCRIMINATION LAWS IN OTHER STATES

Seventeen states have laws prohibiting housing discrimination based on sexual orientation and (in some states) gender identity.<sup>1</sup> In addition over eighty cities have local ordinances prohibiting housing discrimination based on sexual orientation.

### U.S. States that Ban Housing Discrimination Based on Sexual Orientation and U.S. States with Cities that Ban Housing Discrimination Based on Sexual Orientation



#### States Prohibiting Housing Discrimination based on Sexual Orientation

California, Connecticut, Hawaii, Illinois, Maine, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Washington DC, and Wisconsin.<sup>2</sup>



#### States with Cities and Counties that have Local Ordinances Prohibiting Housing Discrimination based on Sexual Orientation

Arizona, Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana,

<sup>1</sup> These 17 states also includes laws prohibiting discrimination based on sexual orientation which cover public employment, public accommodations, private employment, education, housing, credit, and union practices. The inclusion of gender identity is not recognized by all states.

<sup>2</sup> The list of states with anti-discrimination laws was retrieved from The National Gay and Lesbian Task Force –Fair Amicus Local Laws <http://www.thetaskforce.org/downloads/FAIRAmicus-LocalLawsTable.pdf>. States and city/counties with anti-discrimination laws were identified from the same list. The map is a representation of the compiled information collected from that list.

Michigan, Missouri, Ohio, Pennsylvania, Texas, Virginia, and Washington (Fair Amicus-Local Laws Table, 2005).

## **LOCAL LAWS AND ORDINANCES IN MICHIGAN**

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In Michigan, as throughout most of the United States, no prohibition exists against housing discrimination specifically based on sexual orientation. The Federal Fair Housing Act of 1968 bans discrimination based on race, color, religion, national origin, sex, disability and familial status in the renting, sale, and financing of housing. Further, the Michigan Elliott-Larsen Civil Rights Act of 1977 added age and marital status to the federal protections. In some cases, sexual orientation cases can be pursued under the marital status or sex protections.

In 2003, Michigan passed an executive order<sup>3</sup> which would prohibit discrimination in state employment based on sexual orientation. This executive order would make Michigan the 11<sup>th</sup> state to implement such a policy statewide. It does not, however, prohibit discrimination in housing or public accommodations.

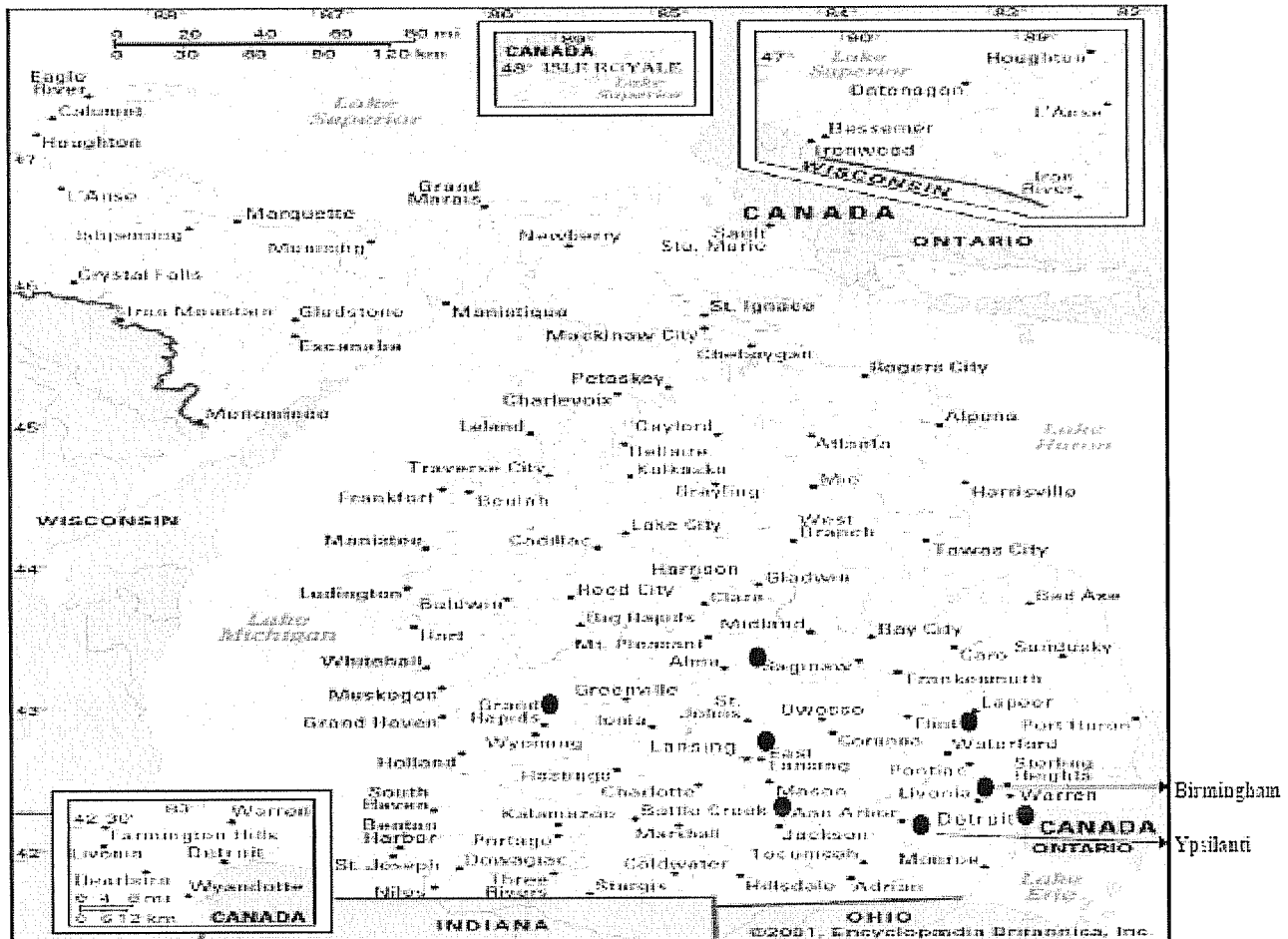
Studies show that larger communities are more likely to have an anti-discrimination ordinance in place as opposed to those that are smaller. More importantly, communities with a progressive gay and lesbian population are more likely to enforce the laws as proposed by ordinances already in place (Wald et al, 1997)

Without the civil rights protection based in law, it is not illegal to deny housing to people, simply based on the landlord, property manager, real estate agent or mortgage lender's personal bias regarding sexual orientation and gender identity – the same as the circumstances in this country prior to the passing of the Civil Rights Act in 1973 for the protected classes identified in that legislation. Denying access to housing, based on a personal characteristic, is wrong. Citizens of America should have the right to housing choice, regardless of personal characteristics. It is unfortunate that laws have to be so specific to protect human rights in this country.

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<sup>3</sup> On Dec 23, 2003 Governor Jennifer Granholm signed executive order Ch.333, Art 17, 20201 & 21761; and Ch. 331, 306 prohibiting discrimination based on sexual orientation.

## MICHIGAN CITIES WITH THAT PROHIBIT HOUSING DISCRIMINATION BASED ON SEXUAL ORIENTATION



- Denotes cities with local ordinances that prohibit housing discrimination based on sexual orientation<sup>4</sup>  
Ann Arbor, Birmingham, Detroit, East Lansing, Grand Rapids, and Ypsilanti are covered by local ordinances banning housing discrimination based on sexual orientation

<sup>4</sup> Other cities in Michigan may prohibit discrimination based on sexual orientation for public employment, public accommodations, private employment, education or credit. The cities included in the map only reference cities with an ordinance that include sexual orientation in the civil rights clause which prohibits housing discrimination.



<b>MICHIGAN CITIES WITH ORDINANCES PROHIBITING HOUSING DISCRIMINATION BASED ON SEXUAL ORIENTATION</b>					
<b>City</b>	<b>Year Sexual Orientation was added</b>	<b>Ordinance</b>	<b>Right of Private Action?</b>	<b>Penalty / Fine</b>	<b>Civil or Criminal?</b>
<b>Ann Arbor</b>	<b>1978</b>	City Code Ch. Ch.112, Ordinance No. 4- 78 Sec 9:150, et seq.	<b>Yes</b>	<b>\$500 per day</b>	<b>Civil</b>
<b>Birmingham</b>	<b>1992</b>	City Code Ch. 66., Article II, as amended by Ordinance No. 1520	<b>No</b>	<b>Not to exceed \$500 fine, or imprisonment not more than 90 days or both</b>	<b>Civil</b>
<b>Detroit</b>	<b>1979</b>	City code Ch. 27, Ordinance No. 330-H	<b>No</b>	<b>No fines, dispute resolution only</b>	<b>Civil</b>
<b>East Lansing</b>	<b>1986</b>	City Code ch.4 Section 1.120 et seq. as amended by Ordinance No 644	<b>No</b>	<b>\$1,000+costs, damages, expenses</b>	<b>Civil</b>
<b>Grand Rapids</b>	<b>1994</b>	City Code Ch. 8 Article 3, Sec 1.341 et seq. Ordinance No. 94- 18	<b>No</b>	<b>\$1,250 1<sup>st</sup> violation, \$2,500 each for subsequent violation</b>	<b>Civil</b>
<b>Saginaw</b>	<b>1984</b>	General Code Article 3	<b>Yes</b>	<b>Not to exceed \$500 fine, or imprisonment not more than 90 days or both</b>	<b>If violator does not voluntarily comply, violation becomes a criminal misdemeanor</b>
<b>Ypsilanti</b>	<b>1997</b>	City Code Ch. 67, Ordinance No. 865	<b>No</b>	<b>Mediation or conciliation only</b>	<b>Civil</b>

## TESTING RESULTS

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Of the 120 tests completed, 60% of the tests, overall, showed no significant differences in treatment and 13% of the tests were deemed inconclusive.<sup>5</sup> However, different fair housing centers found widely divergent levels of discrimination, as indicated in the table below. It is unclear whether this is due to differences in the local housing markets; differences in the types of tests completed (rental, sales, or mortgage); the presence of local ordinances protecting sexual orientation; differences between the ways lesbians and gay men are treated; or other factors such as how well the tester fit into the stereotypical idea of what it means and looks like to be a woman or what it means or looks like to be a man (i.e. did the female tester wear make-up, have long hair, wear a dress, look feminine etc.) A complete log of paired tests can be found in the appendix.

In the 32 (27%) tests that did show disparity in treatment based on sexual orientation, we found differences in rental rates, level of encouragement and application fees that favored the male/female test teams. We also saw behavior bordering on sexual harassment directed toward testers posing as same-sex couples.

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<sup>5</sup> Tests are deemed inconclusive if, for example, there are no apartments available for either team to inspect.

### Michigan Fair Housing Centers Housing Discrimination and Sexual Orientation

	Total		FHC-Metro Detroit		FHC-SE Michigan		FHC-Grand Rapids		FHC-SW Michigan	
	#	%	#	%	#	%	#	%	#	%
<b>Total Paired Tests Completed:</b>	120		36		36		36		12	
<b>Test Type</b>										
<b>Rental</b>	48	40%	12	33%	12	33%	12	33%	12	100%
<b>Sales</b>	36	30%	12	33%	11	31%	12	33%	0	0%
<b>Mortgage</b>	36	30%	12	33%	13	36%	12	33%	0	0%
<b>Test Results:</b>			36		36		36		12	
<b>Evidence of Discrimination</b>	32	27%	3	8%	15	42%	8	22%	6	50%
<b>No Significant Differences</b>	72	60%	23	64%	20	56%	28	78%	1	8%
<b>Inconclusive</b>	16	13%	10	28%	1	3%	0	0%	5	42%
<b>Race of Testers:</b>			36		36		36		12	
<b>White</b>	113	94%	31	86%	34	94%	36	100%	12	100%
<b>African American</b>	5	4%	5	14%	0	0%	0	0%	0	0%
<b>Inter-racial couples White/Black</b>	1	1%	0	0%	1	3%	0	0%	0	0%
<b>Inter-racial couples White/Latino</b>	1	1%	0	0%	1	3%	0	0%	0	0%
<b>Gender of Same-Sex Couple:</b>			36		36		36		12	
<b>Men</b>	42	35%	14	39%	8	22%	18	50%	2	17%
<b>Women</b>	78	65%	22	61%	28	78%	18	50%	10	83%

Local Ordinance Covers Property?			36		33		36		12	
Yes	49	41%	8	22%	10	30%	28	78%	1	8%
No	71	59%	28	78%	23	70%	8	22%	11	92%

As can be seen from the data above, a significant number of tests that resulted in evidence of discrimination. However, the incidence of evidence varied widely between geographic areas. In addition to the fact that housing markets vary, other factors may influence the results. For instance, two-thirds of the Arcus project same-sex testers were women, and 94% of Arcus testers were white. Was the race or sex of testers a factor in some housing markets?

The largest percentage of tests producing evidence was in rental tests (33%), followed by sales tests (25%), and then mortgage tests (20%). This may be indicative of higher levels of discrimination in the rental market, or it may be indicative of the fact that we did “initial” tests. Discrimination in sales and mortgage transactions may take place further into the transaction. For instance, in mortgage transactions this may involve actual approval of a mortgage.

#### **Fair Housing Center of Metropolitan Detroit**

The Fair Housing Center of Metropolitan Detroit conducted 36 tests, over a wide swath of metropolitan Detroit towns in Wayne, Oakland, and Macomb counties. The housing markets vary widely in this area. Evidence was found in only three tests, the lowest of any area—one rental test, one sales test, and one mortgage test. In the metropolitan Detroit area, race is highly charged. Thus it is worth noting that although only 14% (5) of the tests were done with African-American testers, 66% (2/3) of the tests with evidence involved African-American testers. It may be that in the metropolitan Detroit area, race affects housing decision-makers actions more strongly than sexual orientation.

### **Fair Housing Center of Greater Grand Rapids**

The Fair Housing Center of Greater Grand Rapids conducted 36 tests, 12 rental, 12 sales, and 12 mortgage. Evidence of discrimination based on sexual orientation was found in 25% of the rental tests, 25% of the mortgage tests, and 17% of the sales tests. Testing was concentrated in four areas: Grand Rapids (28 tests), Kentwood (2 tests), Wyoming (4 tests), and Comstock Park (2 tests). Grand Rapids has a local ordinance protecting sexual orientation, and only 18% of the tests in the City of Grand Rapids found evidence of discrimination based on sexual orientation. In the suburbs, however, none of which have local ordinances protecting sexual orientation, 38% of all tests identified evidence of discrimination.

### **Fair Housing Center of Southwestern Michigan**

The Fair Housing Center of Southwestern Michigan completed 12 rental tests. Previous testing had identified.....fill this in

Fully half of their rental tests uncovered evidence of discrimination based on sexual orientation. All but one of their tests were completed in areas without an ordinance, and so 55% of the tests in the areas without an ordinance identified evidence of discrimination. The single test in an area with an ordinance prohibiting discrimination based on sexual orientation did not provide evidence of housing discrimination.

### **Fair Housing Center of Southeast Michigan**

The Fair Housing Center of Southeast Michigan completed 36 tests—12 rental, 12 sales, and 12 mortgage—in the Ann Arbor/Ypsilanti area. Again, 46% of the tests (11/24) in areas without an ordinance, and 33% (4/12) of tests in areas with an ordinance, uncovered evidence of discrimination based on sexual orientation.

### **Examples of Differences in Treatment**

*Two women, posing as a lesbian couple were told by a male agent in a small town in Washtenaw County: "Two women don't bother me; its two men I don't understand, I think it's gross. I have*

*no problem with you girls. I kind of like it. I can totally get into that.” He proceeded to inform the testers that if they moved in they could call him anytime to fix anything they needed.*

*In Ypsilanti (Washtenaw County), testers also posing as a lesbian couple were quoted a rent of \$625/month, while for the same property, the tester posing as married to a man was told the rent was \$600/month.*

*In Calhoun County, a lesbian couple was shown one apartment, available at the end of the month. The heterosexual couple was told about two apartments available for immediate occupancy.*

*In a rural area of Washtenaw County, straight testers were given an application and told “we’d love to have you.” The same agent failed to give the lesbian couple an application.*

*In Detroit a landlord said: “No drugs, prostitution, homosexuality, one-night stands...”*

*In a Detroit suburb two women stood for 15 minutes while a real state agent printed out listings for them. The heterosexual couple was offered a seat while the same agent worked with them.*

*In Battle Creek, a lesbian couple was shown one apartment. The heterosexual couple saw two units and was offered \$200 off the first month’s rent as an incentive to move in.*

## **CURRENT LEVEL OF COMPLAINT ACTIVITY**

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<b>COMPLAINTS OF HOUSING DISCRIMINATION BASED ON SEXUAL ORIENTATION MADE TO PRIVATE HOUSING CENTERS IN MICHIGAN 2002-2005</b>	
<b>Fair Housing Group</b>	<b>Number of Sexual Orientation Complaints</b>
Fair Housing Center of Metropolitan Detroit	3
Fair Housing Center of Southeastern Michigan	6
Fair Housing Center of Greater Grand Rapids	1 <sup>6</sup>
Fair Housing Center of Southwest Michigan	3

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<sup>6</sup> Though sexual orientation discrimination was not claimed, the case involved two women denied housing because they were not related by marriage.



## STRATEGIES FOR SUCCESS

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Clearly, housing discrimination against lesbians and gay men is pervasive in Michigan. There is much work to do. Suggestions for action follow.

### Amending the Michigan Elliot-Larsen Civil Rights Act

The Elliot-Larsen Civil Rights Act<sup>7</sup> was enacted in the 1970s to protect the citizens of Michigan from discrimination based on employment, housing, and public accommodations. The Act states the following:

***Article 1 Sec. 102.***

*(1) The opportunity to obtain employment, housing and other real estate, and the full and equal utilization of public accommodations, public service, and educational facilities without discrimination because of religion, race, color, national origin, age, sex, height, weight, familial status, or marital status as prohibited by this act, is recognized and declared to be a civil right.*

A number of Michigan lawmakers have introduced bills amending the Michigan Elliott-Larsen Civil Rights Act to include sexual orientation and gender identity or expression. In 1997 State Representative Pan Godchaux (R-Birmingham) introduced House Bill 5107 to amend the Michigan Elliott-Larsen Civil Rights Act to include sexual orientation. Representative Godchaux tried again to amend Elliott-Larsen by introducing HB 466 in 2001.

In June 2003 Michigan State Representative Chris Kolb (D-Ann Arbor) introduced House Bill 4850 to amend the Michigan Elliott-Larsen Civil Rights Act to include sexual orientation and gender identity. State Senator Liz Brater (D-Ann Arbor) supported Kolb's bill by introducing Senate Bill 609 to amend Elliott-Larsen to include sexual orientation.

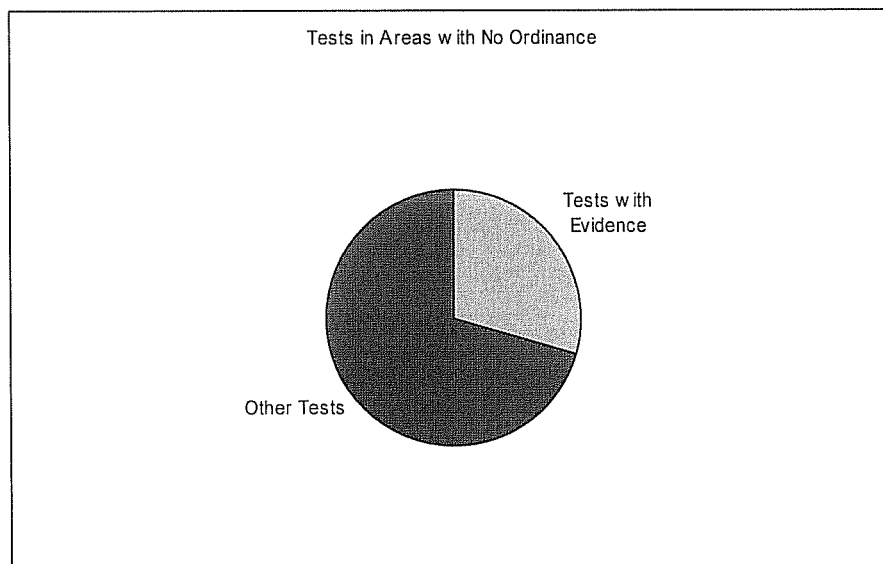
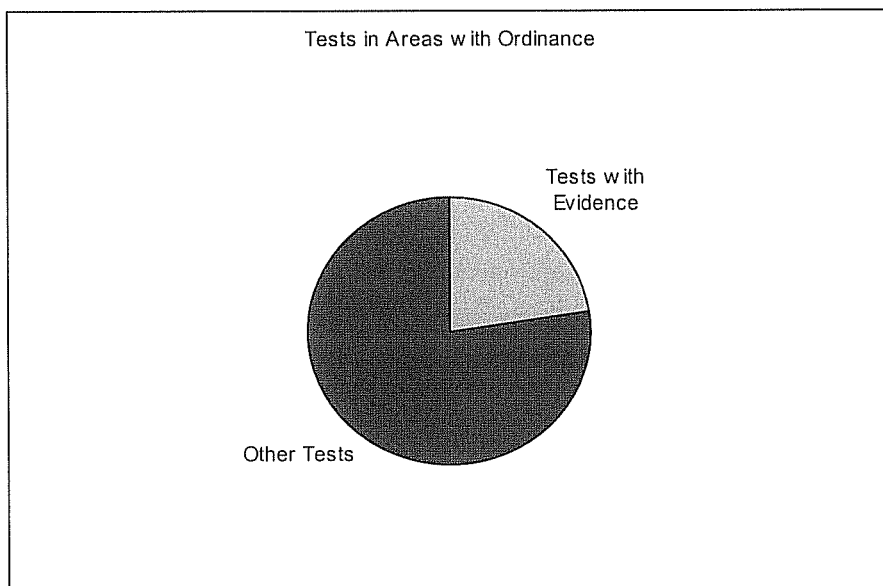
In 2005, Kolb and Brater reintroduced their respective bills (HB 4956 and SB 787) to include "sexual orientation" and "gender identity or expression." These bills have been blocked by the speaker from going forward. The Triangle Foundation, The ACLU of Michigan, and the Log Cabin Republicans of Michigan have worked/lobbied to pass these amendments.

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<sup>7</sup> ELLIOTT- LARSEN CIVIL RIGHTS ACT PA 453. The Act which includes Articles 1-8 was approved by the Governor of Michigan on January 13, 1977.

### Local Ordinances

Without a state or federal law to ban housing discrimination based on sexual orientation, and gender identity or expression, local ordinances become an important—albeit weaker—way to promote fair housing. Some local ordinances do not have significant penalties attached to them; other local ordinances are not widely known. Very few complaints have been associated with them.





Nonetheless, based on the evidence from this testing project, we believe that local ordinances can play an important role in ending discrimination based on sexual orientation. Overall, the fair housing centers performed 120 tests, and found evidence in 27% of them. However, in areas where there was an ordinance, only 22% of the tests uncovered evidence of discrimination. In areas without an ordinance, 30% of the tests uncovered discrimination.

In particular, the ability to publicize that this is illegal housing discrimination is a way to a) let same-sex couples know their rights and b) let landlords, realtors, and others involved in the housing industry understand that their commitment to fair housing law needs to include a commitment to non-discrimination based on sexual orientation.

As with all civil rights law, education without effective enforcement does not deter those who believe themselves above the law. A model local ordinance would include the opportunity for the claimant to engage in a private right of action to enforce his/her rights under the ordinance. The ordinance must also have a meaningful fine or punishment in order to effectively curtail future violations.

### **Litigation Strategies**

Even without a specific protection under the federal Fair Housing or state Elliott-Larsen acts, there may be opportunities to pursue fair housing complaints that are related to same-sex couples—namely, to pursue these complaints under marital status or gender protections.

These strategies have not been fully explored to date. One fair housing case was filed in Michigan for a lesbian couple using sex and marital status protections available under federal law and state law. It should be noted that this case was settled before trial (see below). Another fair housing case was filed in Michigan for two men (apartment-mates, with no knowledge of their sexual orientation) based on sex discrimination. This case was also settled before trial (see below). So, in both cases, the issues were never litigated, but they were able to be publicized.

Finally, in this study, at least two testers noted treatment that was sexual harassment. Sexual harassment can be pursued as a fair housing complaint based on sex discrimination.

# Gay couple sues housing co-op

By SUSAN OPPAT  
NEWS STAFF REPORTER

A lesbian couple has filed a lawsuit against the University Townhouses Cooperative in Ann Arbor, claiming they were refused housing because they are gay.

The women, who have lived together for 13 years and participated in a commitment ceremony at an Ann Arbor church, "are only asking to be treated as a family -- the family they have been to each other for many years," according to attorney Helen V. Gallagher.

Carla Daniels and Gretchen Fogel took their complaint to the Fair Housing Center of Ann Arbor before they filed suit Thursday, the last day before the three-year statute of limitations ran out.

A tester from the center, representing herself as a partner in a

same-sex relationship, got the same refusal recently, according to Executive Director Pam Kisch.

The center is supporting the civil rights suit, filed in Washtenaw Circuit Court against the cooperative, past board president David Thompson and current president Khalil Samaha. Kisch said she was unaware of any previous, similar suits in Washtenaw County.

According to the suit, the women applied for an apartment on March 4, 1991, and a co-op worker told them that applicants must be related by blood or marriage.

According to the suit, the women challenged that, saying they knew of unmarried couples who lived in the co-op. They also noted that the townhouse application form said, "Unmarried couples (male and female) constitute a family too."

Still, the worker refused the ac-

cept the women's application, the suit says.

The women are demanding an injunction against further discrimina-

tion, and more than \$10,000 in damages, citing the Michigan Elliott-Larsen civil rights act. It prohibits discrimination based on gender, handicap, race, age or marital status, and a March 1991 Ann Arbor city ordinance prohibiting discrimination based on sexual orientation.

The co-op is a large complex of federally supported, low-income townhouses on Braeburn Circle, off Ellsworth Road on the south side of Ann Arbor.

A 1991 letter from Thompson to the women said the co-op's definition of family -- two people related by blood or marriage, or an unmarried male and female -- had been in use for 20 years, and was part of a regulatory agreement with the fed-

eral Housing and Urban Development department, which built and supports the housing complex.

Thompson and Samaha did not return messages from The News Friday. Property manager Alonso Restrepo declined comment on the suit.

But Ruth Featherstone, spokeswoman for the HUD fair housing division, said, "We don't define a family under the federal civil rights law. Some of our housing is specifically for families. Then there would be some definition, depending what funding section the housing was built under."

But she said Elliott-Larsen does prohibit discrimination based on marital status, and HUD would not try to "impose" a definition of family that contradicted state law.

## *Fogel and Daniels v University Townhouses*

Gretchen Fogel and Carla Daniels were denied the opportunity to apply jointly for a two-bedroom unit because they were not related by blood or law. Unmarried applicants of the opposite sex were considered a family. Cooperating Attorney Helen Gallagher filed suit claiming discrimination based on sex, marital status, and sexual orientation.

**Court: State**

**Settlement: Non-Disclosed, includes moving expenses**

## *Moody and Stowe v Frey*

Two men, Shannon Moody and Robert Stowe, accepted \$20,000 to settle their sex discrimination suit against Roland and Joan Frey of Ann Arbor. According to the suit, Roland and Joan Frey refused to rent their Potter Street apartment to two men. Moody and Stowe contacted the Fair Housing Center to report the incident. Male and female testers were used to support the claim of discrimination based on gender. Stowe and Moody initially asked FHC staff to resolve the case without litigation. The Frey's, through their attorney, offered the men \$100.00 to settle the case. Filed in Federal District Court, by Fair Housing Center Cooperating Attorney Steve Tomkowiak, the case was assigned to Judge George Caram Steeh.

**Court: Federal**

**Settlement: \$20,000**

## *Ann Arbor*

## *Ann Arbor*

### **The Role of Fair Housing Centers**

Clearly, fair housing centers have an important role to play in expanding housing opportunities for the LGBT community. Ongoing acceptance of fair housing complaints from LGBT complainants; ongoing testing of these complaints; and possible referral of complaints for litigation are important activities for fair housing centers.

Fair housing centers can also advocate for LGBT complainants through available city enforcement processes. It seems that even in cities where discrimination based on sexual orientation is banned, making a complaint to the proper city office isn't easy. In fact we have no evidence that even a single sexual orientation/housing discrimination complaint has been made to any city in Michigan in the last five years.

However, it is possible that some potential complainants—even in cities with ordinances that include a sexual orientation protection—may not know about the protections in the ordinance. Public Service Announcements may serve a dual purpose of letting both LGBT complainants and landlords know that discrimination based on sexual orientation is illegal in these geographic areas. The experience of the fair housing centers in publicizing discrimination based on disability and familial status is that the publicity alone does appear to reduce some discrimination.

Fair housing centers may want to do a sample survey of lesbians and gay men to see if they have faced discrimination in housing but have failed to report or complain about this discrimination. Fair housing centers may also want to investigate whether gender expression plays a significant role in sexual orientation discrimination.

Fair housing groups can include LGBT testing as part of their contracts with local governments that have an ordinance prohibiting discrimination based on sexual orientation and/or gender identity.

In addition, based on the limited survey testing done during this time period, it appears that regular survey testing should be used to expand our understanding of the nature of discrimination against LGBT community in the housing industry.

Finally, fair housing centers and LGBT advocacy groups should build alliances to pursue implementation of local ordinances with enforcement mechanisms, as well as the expansion of the Elliott-Larsen Civil Rights Act protections.

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## APPENDIX

### Testing Log: Fair Housing Center of Metropolitan Detroit

Test #	Test Date	Race	Same Sex Couple's Gender	Transaction Type	Property Description	Outcome	Property Location
AR-05-09	7/10/05	B/B	Women	Rental	Multi-Family 5+	Evidence	Detroit/Wayne
AR-05-23	7/30/05	W/W	Women	Sales	House	Evidence	Birmingham/Oakland
AR-05-27	7/25/05	W/W	Men	Mortgage		Evidence	Westland/Wayne
AR-05-19	8/5/05	B/B	Women	Sales	House	INC	Detroit/Wayne
AR-05-31	8/7/05	B/B	Women	Mortgage		INC	Detroit/Wayne
AR-05-32	9/9/05	B/B	Women	Mortgage		INC	Detroit/Wayne
AR-05-12	8/5/05	W/W	Men	Rental	Multi-Family 5+	INC	Birmingham/Oakland
AR-05-20	8/3/05	W/W	Women	Sales	House	INC	Dearborn/Wayne
AR-05-25	8/9/05	W/W	Men	Mortgage		INC	Farmington Hills/Oak.
AR-05-26	8/8/05	W/W	Men	Mortgage		INC	Novi/Oakland
AR-05-29	7/25/05	W/W	Men	Mortgage		INC	Taylor/Wayne
AR-05-15	6/20/05	W/W	Men	Sales	House	INC	Trenton/Wayne
AR-05-07	5/21/05	W/W	Women	Rental	Multi-Family 5+	INC	Warren/Macomb
AR-05-08	6/13/05	B/B	Women	Rental	Multi-Family 5+	NSD	Detroit/Wayne
AR-05-14	6/15/05	W/W	Men	Sales	House	NSD	Allen Park/Wayne
AR-05-24	7/30/05	W/W	Women	Sales	House	NSD	Birmingham/Oakland
AR-05-22	7/30/05	W/W	Women	Sales	House	NSD	Bloomfield Hills/Oakland
AR-05-01	5/18/05	W/W	Men	Rental	Multi-Family 5+	NSD	Canton/Wayne
AR-05-28	7/25/05	W/W	Men	Mortgage		NSD	Canton/Wayne
AR-05-17	7/30/05	W/W	Women	Sales	House	NSD	Chesterfield Twp/Macomb

AR-05-02	6/9/05	W/W	Men	Rental	Multi-Family 5+	NSD	Dearborn/Wayne Farmington Hills/Oak.
AR-05-03	5/23/05	W/W	Men	Rental	Multi-Family 5+	NSD	
AR-05-13	6/15/05	W/W	Men	Sales	House	NSD	Flat Rock/Wayne
AR-05-16	7/30/05	W/W	Women	Sales	House	NSD	Grosse Pte. Farms/Wayne
AR-05-35	8/25/05	W/W	Women	Mortgage		NSD	Harper Woods/Wayne
AR-05-21	8/3/05	W/W	Women	Sales	House	NSD	Livonia/Wayne
AR-05-30	8/16/05	W/W	Women	Mortgage		NSD	Livonia/Wayne
AR-05-04	5/25/05	W/W	Men	Rental	Multi-Family 5+	NSD	Northville/Wayne
AR-05-11	6/4/05	W/W	Women	Rental	Multi-Family 5+	NSD	Rochester/Macomb
AR-05-05	5/21/05	W/W	Women	Rental	Multi-Family 5+	NSD	Roseville/Macomb
AR-05-36	8/17/05	W/W	Women	Mortgage		NSD	Roseville/Macomb
AR-05-06	5/21/05	W/W	Women	Rental	Multi-Family 5+	NSD	Sterling Hgts/Macomb
AR-05-18	7/30/05	W/W	Women	Sales	House	NSD	Sterling Hgts/Macomb
AR-05-10	6/6/05	W/W	Men	Rental	Multi-Family 5+	NSD	Taylor/Wayne
AR-05-34	8/6/05	W/W	Women	Mortgage		NSD	Troy/Oakland W.
AR-05-33	8/16/05	W/W	Women	Mortgage		NSD	Bloomfield/Oakland



**Testing Log: Fair Housing Center of Greater Grand Rapids**

Test #	Test Date	Race	Same Sex Couple's Gender	Transaction Type	Property Description	Outcome	Property Location
05KZOO-32	7/28/2005	W/W	Men	Mortgage		Evidence	Grand Rapids
05KZOO-03	7/21/2005	W/W	Men	Rental	Multi-Family 5+	Evidence	Grand Rapids
05KZOO-06	7/21/2005	W/W	Men	Rental	Multi-Family 5+	Evidence	Grand Rapids
05KZOO-26	8/9/2005	W/W	Women	Mortgage		Evidence	Grand Rapids
05KZOO-34	7/28/2005	W/W	Women	Mortgage		Evidence	Kentwood
05KZOO-08	6/28/2005	W/W	Women	Rental	Multi-Family 5+	Evidence	Wyoming
05KZOO-15	7/16/2005	W/W	Women	Sales	House	Evidence	Grand Rapids
05KZOO-23	7/15/2005	W/W	Women	Sales	House	Evidence	Kentwood
05KZOO-25	7/28/2005	W/W	Men	Mortgage		NSD	Grand Rapids
05KZOO-29	7/29/2005	W/W	Men	Mortgage		NSD	Grand Rapids
05KZOO-30	7/29/2005	W/W	Men	Mortgage		NSD	Grand Rapids
05KZOO-31	7/28/2005	W/W	Men	Mortgage		NSD	Grand Rapids
05KZOO-35	7/26/2005	W/W	Men	Mortgage		NSD	Grand Rapids
05KZOO-01	7/21/2005	W/W	Men	Rental	Multi-Family 5+	NSD	Grand Rapids
05KZOO-02	7/21/2005	W/W	Men	Rental	Multi-Family 5+	NSD	Grand Rapids
05KZOO-04	7/21/2005	W/W	Men	Rental	Multi-Family 5+	NSD	Grand Rapids
05KZOO-05	7/21/2005	W/W	Men	Rental	Multi-Family 5+	NSD	Grand Rapids
05KZOO-16	8/4/2005	W/W	Men	Sales	House	NSD	Grand Rapids
05KZOO-17	8/5/2005	W/W	Men	Sales	House	NSD	Grand Rapids
05KZOO-19	8/4/2005	W/W	Men	Sales	House	NSD	Grand Rapids
05KZOO-20	8/4/2005	W/W	Men	Sales	House	NSD	Grand Rapids
05KZOO-24	7/30/2005	W/W	Men	Sales	House	NSD	Grand Rapids
05KZOO-18	8/4/2005	W/W	Men	Sales	House	NSD	Wyoming
05KZOO-27	8/9/2005	W/W	Women	Mortgage		NSD	Grand Rapids
05KZOO-28	8/3/2005	W/W	Women	Mortgage		NSD	Grand Rapids

05KZOO-33	8/3/2005	W/W	Women	Mortgage		NSD	Grand Rapids
05KZOO-36	8/9/2005	W/W	Women	Mortgage		NSD	Grand Rapids
05KZOO-07	6/28/2005	W/W	Women	Rental	Multi-Family 5+	NSD	Comstock Park
05KZOO-10	6/28/2005	W/W	Women	Rental	Multi-Family 5+	NSD	Comstock Park
05KZOO-11	6/24/2005	W/W	Women	Rental	Multi-Family 5+	NSD	Grand Rapids
05KZOO-12	8/20/2005	W/W	Women	Rental	Multi-Family 5+	NSD	Grand Rapids
05KZOO-09	6/28/2005	W/W	Women	Rental	Multi-Family 5+	NSD	Wyoming
05KZOO-13	7/19/2005	W/W	Women	Sales	House	NSD	Grand Rapids
05KZOO-14	7/12/2005	W/W	Women	Sales	House	NSD	Grand Rapids
05KZOO-21	8/3/2005	W/W	Women	Sales	House	NSD	Grand Rapids
05KZOO-22	7/19/2005	W/W	Women	Sales	House	NSD	Wyoming



Testing Log: Fair Housing Center of Southeast Michigan

Test #	Test Date	Race	Same Sex Couple's Gender	Transaction Type	Property Description	Outcome	Property Location
ARC-05-23	1/31/2006	W/W	Women	Mortgage		Evidence	Manchester
ARC-05-25	12/9/2005	W/W	Men	Mortgage		Evidence	Ypsilanti
ARC-05-34	12/9/2005	W/W	Men	Mortgage		Evidence	Ypsilanti
ARC-05-02	7/23/2005	B/W	Women	Rental	Multi-Family 5+	Evidence	Saline
ARC-05-03	10/28/2005	W/W	Women	Rental	Multi-Family 5+	Evidence	Whitmore Lake
ARC-05-04	8/7/2005	W/W	Women	Rental	Multi-Family 5+	Evidence	Whitmore Lake
ARC-05-06	12/23/2005	W/W	Women	Rental	Multi-Family 5+	Evidence	Ypsilanti Twp.
ARC-05-08	7/25/2005	W/W	Women	Rental	Multi-Family 5+	Evidence	Milan
ARC-05-09	8/26/2005	W/W	Women	Rental	Multi-Family 5+	Evidence	Ypsilanti
ARC-05-12	8/12/2005	W/W	Women	Sales	House	Evidence	Ann Arbor
ARC-05-13	12/23/2005	W/W	Women	Sales	House	Evidence	Ann Arbor/ Pittsfield Twp.
ARC-05-15	1/21/2006	W/W	Women	Sales	House	Evidence	Chelsea
ARC-05-16	11/18/2005	W/W	Women	Sales	House	Evidence	Clinton
ARC-05-22	10/11/2005	W/W	Women	Sales	House	Evidence	Manchester
ARC-05-24	10/27/2005	W/W	Men	Sales	House	Evidence	Whitmore Lake
ARC-05-17	11/18/2005	W/W	Women	Mortgage	House	INC	Clinton
ARC-05-19	10/6/2005	W/W	Women	Mortgage	House	NSD	Milan
ARC-05-21	10/21/2005	W/W	Women	Mortgage	House	NSD	Monroe
ARC-05-26	2/6/2006	W/W	Men	Mortgage		NSD	Saline
ARC-05-27	12/23/2005	W/W	Women	Mortgage	House	NSD	Dexter
ARC-05-28	11/14/2005	W/W	Women	Mortgage		NSD	Saline
ARC-05-32	12/5/2005	W/W	Women	Mortgage		NSD	Monroe
ARC-05-33	2/8/2006	W/W	Men	Mortgage		NSD	Ann Arbor
ARC-05-35	2/9/2006	W/W	Men	Mortgage		NSD	Ann Arbor
ARC-05-36	12/14/2005	W/W	Women	Mortgage		NSD	Dexter

ARC-05-01	6/17/2005	W/W	Women	Rental	Multi-Family 5+	NSD	Ann Arbor
ARC-05-05	8/26/2005	W/W	Women	Rental	Multi-Family 5+	NSD	Ypsilanti
ARC-05-07	7/27/2005	W/W	Women	Rental	Multi-Family 5+	NSD	Milan
ARC-05-10	8/8/2005	W/L	Women	Rental	Multi-Family 5+	NSD	Ypsilanti
ARC-05-11	11/14/2005	W/W	Women	Rental	Multi-Family 5+	NSD	Ypsilanti
ARC-05-30	11/11/2005	W/W	Men	Rental	Multi-Family 5+	NSD	Ypsilanti Twp.
ARC-05-14	11/12/2005	W/W	Women	Sales	House	NSD	Ypsilanti
ARC-05-18	10/6/2005	W/W	Women	Sales	House	NSD	Milan
ARC-05-20	10/22/2005	W/W	Women	Sales	House	NSD	Milan
ARC-05-29	11/11/2005	W/W	Men	Sales	House	NSD	Ypsilanti
ARC-05-31	12/5/2005	W/W	Women	Sales	House	NSD	Monroe